

# CITY PLANNING COMMISSION MINUTES

JULY 1, 2004

The regular meeting of the City Planning Commission convened Thursday, July 1, 2004, at 1:35pm in the City Council Chambers, 333 W. Ocean Boulevard.

**PRESENT: COMMISSIONERS:** Charles Greenberg, Nick Sramek, Charles Winn, Matthew Jenkins, Leslie Gentile, Mitch Rouse

**ABSENT: COMMISSIONERS:** Morton Stuhlbarg

**CHAIRMAN:** Charles Greenberg

**STAFF MEMBERS PRESENT:** Fady Mattar, Acting Director  
Greg Carpenter, Zoning Officer  
Angela Reynolds, Advance Planning  
Craig Chalfant, Planner III

**OTHERS PRESENT:** Mike Mais, Assistant City Attorney  
Marcia Gold, Minutes Clerk

## PLEDGE OF ALLEGIANCE

New Commissioners Leslie Gentile and Mitch Rouse were welcomed onto the Planning Commission. Commissioner Gentile led the pledge of allegiance.

## MINUTES

The minutes of June 3, 2004 were approved on a motion by Commissioner Winn, seconded by Commissioner Jenkins and passed 4-0-2, with abstentions from Commissioners Gentile and Rouse. Commissioner Stuhlbarg was absent.

## SWEARING OF WITNESSES

## CONSENT CALENDAR

At the request of Commissioner Sramek, Item 1C was removed from the Consent Calendar for discussion.

Items 1A and 1B were approved as presented on a motion by Commissioner Winn, seconded by Commissioner Sramek, and passed 6-0. Commissioner Stuhlbarg was absent.

**1A. Case No. 0405-04, Condominium Conversion, CE 132-04**

Applicant: Michael Morris  
Subject Site: 524 Nebraska (Council District 2)  
Description: Request for the approval of a Tentative Parcel Map (No. 061138) to convert a nine-unit residential structure to condominiums.

Approved Tentative Parcel Map No. 061138, subject to conditions.

**1B. Case No.0401-09, Standards Variance, CE 04-06**

Applicant: Charles Belak-Berger  
Subject Site: 56 La Linda Drive (Council District 8)  
Description: Standards Variance for construction of a two-story single family residence with an attached two-car garage.

Continued to a date to be renoticed.

**1C. Case No. LDR-04**

Applicant: City of Long Beach  
Subject Site: Citywide  
Description: The 2003-2004 Local Development Report and its conformance with the 2004 Congestion Management Program.

Removed to the Regular Agenda.

**R E G U L A R   A G E N D A**

**1C. Case No. LDR-04**

Applicant: City of Long Beach  
Subject Site: Citywide  
Description: The 2003-2004 Local Development Report and its conformance with the 2004 Congestion Management Program.

In response to a query from Commissioner Sramek, Mr. Carpenter explained that the large amount of square footage noted for demolition had to be mentioned for credit.

Commissioner Sramek moved to recommend that the City Council adopt a resolution self-certifying the Local Development Report

and its conformance with the Congestion Management Program.  
Commissioner Jenkins seconded the motion, which passed 6-0.  
Commissioner Stuhlbarg was absent.

**2. Case No. 00405-15, Administrative Use Permit, ND 17-04**

Applicant: Joe Coletti, Institute for Urban Research  
& Development  
Subject Site: 1368 Oregon Avenue (Council Dist. 1)  
Description: Administrative Use Permit to allow  
establishment of a homeless shelter in an existing  
industrial building.

Craig Chalfant presented the staff report recommending approval of the request since the shelter would provide a needed public service for the City's homeless population with conditions of approval incorporated to safeguard neighbors against noise, loitering and other adverse effects.

In response to queries from Commissioner Sramek, Mr. Carpenter explained that fees are collected because the operation is within the business assessment district. Mr. Mais suggested strengthening the conditions of approval to assure that the operator-dependent business always had a specifically-approved permit in place.

Commissioner Sramek stated he had toured the applicant's Glendale facility and was impressed with the quality of the operation.

In response to another query from Commissioner Sramek regarding the chemical hazard mitigation, Angela Reynolds outlined the method of soil and water testing and monitoring, and further remediation efforts planned to bring the property into AQMD compliance with residential-use regulations.

Jack Garrett, Applicant, Project Director, Institute for Urban Research and Development, 840 Echo Park Avenue, Los Angeles, 90026, presented slides showing similar operations and how they had successfully addressed neighborhood concerns about loitering through careful planning and supervision of activities.

In response to a query from Commissioner Winn about the night-only operation, and what the City would gain from this, Mr. Garrett replied that this program was designed to help the homeless with the best chance of becoming productive citizens by helping them save money for long-term housing. Mr. Garrett

added that there were plans to create a Neighborhood Advisory Committee.

David Bauer, 110 Pine Avenue #925, President, Tar-Gi, explained how they had removed potentially hazardous materials from the site and that the groundwater was not contaminated by previous use.

Dan Berns, 1250 W. 17<sup>th</sup> St., Westside PAC President, spoke in opposition to the facility, stating that the Redevelopment Agency had the responsibility to control these uses in this area, and that although the provider seemed to be reliable, his experience was that many promises made to neighborhoods in similar situations had been broken.

Jack Meany, 515 W. Combs St., area manufacturer, also expressed opposition to the operation, stating that a residential use was inappropriate in this industrial area, and that the homeless would be better served if the unused commercial buildings on PCH or Anaheim could be used.

Larry Goodhue, 5050 2<sup>nd</sup> St., agreed, and added that the project would destabilize their neighborhood and that the use in general was incompatible with the City's expressed desire to become a tourist destination. Mr. Goodhue added that he felt the installation of the Blue Line had significantly increased the numbers of transients from outside the City's borders.

Ed Van, 646 W. Pacific Coast Hwy., local manufacturer, expressed support for the idea.

Janet McCarthy, 800 W. Pacific Coast Hwy., Goodwill Industries, also expressed support for the facility, stating she had also visited other operations managed by the applicant and had found them to be well-managed and clean.

Candace Mead, 2925 Eucalyptus, expressed opposition to the shelter, citing liability issues for the operator, and potential problems with the contaminated soil remediation.

Maria Giesey, 1901 E. Ocean, spoke in support of the application, saying that a transitional shelter would be effective in reducing the homeless population.

Elaine Des Roches, 445 W. 6<sup>th</sup> St., expressed support for the shelter, saying that she heard that indigents with court dates

were given one-way bus tickets to attend court in Long Beach, and that the problem couldn't be ignored.

George Janich, 3939 Pacific Ave., Magnolia Industrial Group representative, said he opposed the idea because it would bring more crime into the area and create more difficulties for business owners. He added that he understood that more than 3.5 million square feet of rentable commercial property was available, which could house more people more efficiently elsewhere, while employing more helpers.

Rebecca Magdaleno Rankins, 1965 Magnolia Avenue, representing South Wrigley Neighborhood Advisory Group, spoke in opposition to the facility, saying she did not feel that there had been enough public notice or input, and that this could discourage new business operations from locating in the area.

Mary Coburn, 100 W. Broadway, Suite 120, Operations Manager, Downtown Long Beach Associates, said she supported the project with the stringent conditions in place, and since the applicant was a reliable operator with a goal to mainstream the interim homeless.

Don Darnauer, 801 Pine Avenue, Central PAC Chair, suggested that the needs of the community be balanced with the needs of the neighborhood, especially given the private property aspect of this specific use, but that overall, even though the operator was reliable and experienced, this would not be an improvement to the area.

Jack Smith, 2453 Golden Avenue, expressed opposition to the idea of a residential shelter in an industrial area, especially since their manufacturing group had worked so hard to successfully improve the area, and said he thought it would be very difficult to enforce the conditions of approval.

Leonard Chudacoff, 615 W. 17<sup>th</sup> Street, agreed that the business group had worked too hard to improve the area to support an operation that could potentially attract loiterers.

Richard Bechler, 725 W. Anaheim Street, adjacent business owner, said he had a huge operation with large amounts of truck traffic that could be very hazardous for a residential-type use, and that this specific one would reduce their property values.

John Abazis, 634 W. 14<sup>th</sup> Street, adjacent business owner, agreed that he would lose tenants which would reduce the quality and value of his investment in the area.

Lena Wilson, (no address given), said she supported the shelter because it was needed and would make a difference.

Edwina Fearonce, New Congregation Christian Church, 439 Anaheim Street, expressed support for the operation.

Evelyn Knight, 2521 Cota, agreed that the shelter would be an asset because it would be professionally run by an experienced operator.

Sandra Kroll, 3529 Vista Street, said she represented 12 churches encompassing 12,000 families in support of the shelter.

Geoff Bennett, 655 W. 14<sup>th</sup> Street, Caravan Manufacturing, expressed opposition to a permanent shelter, stating that it was located in a very busy section of the industrial area, and would give visiting manufacturing clients a negative impression.

Steve Marderosian, 665-1/2 W. 14<sup>th</sup> Street, adjacent business owner, expressed opposition to the application, saying that he thought a more proper location for this operation would be in or around the churches who supported the homeless.

Jane Kelleher, 3929 E. Anaheim Street, agreed that this location was inappropriate, and noting that the applicant had admitted to only a 30% success rate with their clients.

Laura Sanchez, 3759 Orange Avenue, Cal Heights United Methodist Church representative, said she supported the shelter because she believed most of the homeless were City residents unable to afford housing.

Carol McCafferty, 1060 Maine, expressed opposition to the shelter in a fragile industrial area.

Brenda Wilson, 410 E. Ocean Blvd., New Image Emergency Shelter, spoke in support of the shelter.

Lynda Moran, 1301 W. 12<sup>th</sup> Street, New Image Emergency Shelter, added that there was a need for these services.

Marguerite Lovett, 1509 Loray Street, Unitarian Universalist Church representative, spoke in support of the shelter.

James Brown, President Long Beach Community Action Network, no address given, expressed support for the shelter, and said that those who wanted help should be able to receive it.

Gary Shelton, 1243 E. Ocean Blvd., rep, First Congregational Church, expressed support for the shelter and applicant.

Mike Zupanovich, 537 W. Anaheim Street, expressed opposition to the location, agreeing that it was too dangerous for a residential use.

Casey Carver, 2635 E. 17<sup>th</sup> Street, President, East Village Arts District, expressed support for the application saying he felt there was not enough low-income housing available.

Michael Walker, (no address given), said he didn't want to be in that area either, but that this shelter would help the transients working to acquire permanent housing.

Larry, (no last name or address given), said he felt the shelter would be a worthwhile operation.

Jack Garrett, applicant, promised to provide a human health risk assessment on the chemical contamination.

Commissioner Jenkins noted that housing costs had risen, increasing the transient element of the City's population, and said he was in favor of any temporary housing opportunities that could be created to help the working homeless. Mr. Jenkins also lauded the staff's work and suggested that the City take a chance on this, especially since the operator had good record with their other shelters.

Commissioner Jenkins then moved to accept the staff recommendation to approve the Administrative Use Permit, subject to conditions, and to adopt Negative Declaration 17-04.

Commissioner Sramek said that although he agreed wholeheartedly that this would be one element of a solution to the homeless problem, he wanted to divide the issues of need and location. Mr. Sramek noted that the local business association had worked hard for many years to improve the area, and that this use would not fit there. Commissioner Sramek acknowledged the opposition's fear that it would also have a negative affect on the overall economic health of the area. Mr. Sramek also expressed fear that the previous environmental problems at the

site could create serious health risks for shelter clients. Mr. Sramek suggested the City put together a task force to look for appropriate sites for these uses, stating he just could not support putting this use into this location.

Commissioner Winn also expressed appreciation for the quality and thoughtfulness of the testimony on both sides of the issue. Mr. Winn acknowledged the positive impact Magnolia Industrial Group had made on the area, and noted that the operating conditions of the Administrative Use Permit were extremely strict because of the group's dissatisfaction with the location. Commissioner Winn said he felt that these stringent conditions coupled with the proven track record of the operator would preclude any negative impacts on the area as a result of the facility. Mr. Winn also expressed satisfaction with the mitigation of the environmental issues.

Commissioner Winn then seconded the motion.

Commissioner Rouse agreed with Commissioner Sramek that the economic health of the area was a direct result of the Magnolia Industrial Group, who had spent many generations in cleaning up the area on their own volition and with their own money. Mr. Rouse said he shared Mr. Sramek's opinion that this residential type use was incompatible in an industrial area, and further, that the City's zoning ordinance specifically called it an 'industrial sanctuary,' which was what area manufacturers should expect. Commissioner Rouse suggested locating the facility in a commercial area.

Chairman Greenberg commented that the Commission's duty was to apply land use principles in making a decision, and to give the best advice possible to the City Council as to what, from that standpoint, was right or wrong. Mr. Greenberg contended that if this use was suggested for a residential area, there would be even more opposition; and that if it was placed in a commercial area, it would be intrusive as well. Commissioner Greenberg stated frankly that the only problem with this particular project was that the Westside had already taken more of its share of this type of project for the City. Mr. Greenberg remarked that because this specific shelter specialized in helping a different kind of homeless person with a reasonable chance of returning to the economic mainstream, it would probably preclude the stereotypical problems most opponents feared. Commissioner Greenberg concluded that since any type of shelter would be opposed in any area, and since the problem was



too critical to put off any more, he would support the motion on the floor.

Assistant City Attorney Mais asked that the amendment to Condition 37 be added to the motion, which would insure that the Administrative Use Permit could not be transferred without a new application being made, and to require the owner of the property and the applicant to sign a document, written to the satisfaction of the City Attorney's office, indicating that they were willing to waive any right they might have that the permit run with the land. Both makers of the motion agreed to the addition.

The question was called, and the motion passed 4-2, with Commissioners Rouse and Sramek dissenting.

#### **M A T T E R S   F R O M   T H E   A U D I E N C E**

There were no matters from the audience.

#### **M A T T E R S   F R O M   T H E   D E P A R T M E N T   O F P L A N N I N G   A N D   B U I L D I N G**

There were no matters from the Department of Planning and Building.

#### **M A T T E R S   F R O M   T H E   P L A N N I N G C O M M I S S I O N**

There were no matters from the Planning Commission.

#### **A D J O U R N**

The meeting adjourned at 5:30.

Respectfully submitted,

Marcia Gold  
Minutes Clerk